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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,800	01/06/2004	Bryan Severt Hallberg	8371-170	6457
46404 7590 11/12/2008 MARGER JOHNSON & MCCOLLOM, P.C. - Sharp 210 SW MORRISON STREET, SUITE 400 PORTLAND, OR 97204				
EXAMINER ADEGEYE, OLUWASEUN				
ART UNIT 2621		PAPER NUMBER		
MAIL DATE 11/12/2008		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/753,800

**Applicant(s)**

HALLBERG, BRYAN SEVERT

**Examiner**

OLUWASEUN A. ADEGEYE

**Art Unit**

2621

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01/06/2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 - 37 is/are pending in the application.
- 4a) Of the above claim(s) 1 - 20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21 - 37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01/06/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/5508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 07/21/2008 with respect to claims 21 and 27 have been fully considered but they are not persuasive.

In re pages 5 – 9, applicants argue that the Vantalon reference shows a system that does not include the PCMCIA interface as an integral part of the TV.

In response, the examiner respectfully disagrees column 4, lines 16 – 48 discloses different ways of packaging the apparatus and column 4, lines 33 – 40 discloses an integrated television set with an add on conditional access module that contains a PCMCIA slot.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 21, 24, 26 – 28 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Vantalon et al (US 7,216,358 B1).

As to **claim 21**, Vantalon discloses a standalone television receiver (TV) that does not include a built in TV program recording device (see fig. 4), said TV including:

a display device (13) for displaying received images (see fig. 2)

a PCMCIA card (Personal Computer Memory Card International Association card) interface slot (72) in said TV, said PCMCIA card interface slot adapted to receive a removable PCMCIA card (28) which includes electronic circuitry (see column 6, lines 57 – 65),

an encoder (48) having an encoder-input for receiving TV signals and an encoder- output for providing encoded TV signals (see column 7, lines 5 – 15),

a buffer storage (46) connected to said encoder-output, said buffer storage adapted to buffer said encoded TV signals (see column 7, lines 5 – 20), and

interface circuitry adapted to connect circuitry on said PCMCIA card to said buffer whereby encoded TV signals can be transferred to said electronic circuitry on said PCMCIA card (see column 7, lines 5 – 41).

As to **claim 24**, Vantalón discloses the TV recited in claim 21 including a processor (42) adapted to control transfer of signals from said encoder to said interface circuitry (see column 7, lines 21 – 41).

As to **claim 26**, Vantalón discloses the TV recited in claim 21 including a processor connected to said buffer storage (88) and to said interface circuitry, said processor adapted to control transfer of signals between said buffer and said interface (see column 7, lines 28 – 41).

As to **claim 27**, grounds for rejecting claim 21 apply to claim 27 in its entirety.

As to **claim 28**, Vantalón discloses the TV recited in claim 27 wherein said

PCMCIA card includes memory for storing TV signals (see column 7, lines 33 – 41).

As to **claim 30**, grounds for rejecting claim 24 apply to claim 30 in its entirety.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 25 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vantalon in view of Hong et al (US 2992/0039245 A1).

As to **claim 25**, Vantalon discloses the TV recited in claim 21. However Vantalon does not disclose including a second PCMCIA card interface slot for holding a second PCMCIA card.

Hong discloses including a second PCMCIA card interface slot for holding a second PCMCIA card (see [040]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have added a plurality of PCMCIA card slots as taught by Hong to the apparatus of Vantalon to provide an improved structure to create a large storage capacity (see [011]).

As to **claim 31**, grounds for rejecting claim 25 apply to claim 31 in its entirety.

6. Claims 22, 23 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vantalón in view of Ross et al (US 5,859,628).

As to **claim 22**, Vantalón discloses the TV recited in claim 21. However Vantalón does not disclose wherein said PCMCIA card includes a rotating magnetic memory media for storing TV signals.

Ross discloses wherein said PCMCIA card includes a rotating magnetic memory media for storing TV signals (see column 9, lines 11 – 25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used a PCMCIA card that includes a rotating magnetic memory media as taught by Ross to the apparatus of Vantalón to provide a system that is economically feasible and commercially practical (see column 1, lines 64 - 65)

As to **claim 23**, grounds for rejecting claim 22 apply to claim 23 in its entirety.

As to **claim 29**, grounds for rejecting claim 22 apply to claim 29 in its entirety.

7. Claim 32 – 33 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vantalón in view of Speasi et al (US 2005/0129385 A1).

As to **claim 32**, this claim is similar to claim 27 only in that the limitation “a Liquid Crystal Display (LCD) device” is additionally recited.

Vantalón discloses a TV but he does not disclose an LCD.

Speasi discloses a Liquid Crystal Display (LCD) device (see [020] and [021]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have added the LCD device taught by Speasi to the apparatus of

Vantalon to provide a system with sufficient memory to store a large number of video clips (see [007]).

As to **claim 33**, Vantalon in view of Speasi discloses the TV recited in claim 32. Vantalon discloses wherein said PCMCIA card includes memory for storing TV signals (see column 7, lines 33 – 41).

As to **claim 36**, Vantalon in view of Speasi discloses the TV recited in claim 32 . Vantalon discloses including a processor (42) adapted to control transfer of signals from said encoder (45, 48) to said interface circuitry (see column 7, lines 5 – 41).

8. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vantalon in view of Speasi as applied to claim 32 above, and further in view of Hong et al.

As to **claim 37**, Vantalon in view of Speasi discloses The TV recited in claim 32. However they do not disclose including a second PCMCIA card interface slot for holding a second PCMCIA card.

Hong discloses including a second PCMCIA card interface slot for holding a second PCMCIA card (see [040]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have added a plurality of PCMCIA card slots as taught by Hong to the apparatus of Vantalon in view of Speasi to provide an improved structure to create a large storage capacity (see [011]).

9. Claims 34 – 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vantalon in view of Speasi as applied to claim 32 above, and further in view of Ross et al.

As to **claim 34**, Vantalon in view of Speasi discloses the TV recited in claim 32. However they **do** not disclose wherein said PCMCIA card includes rotating memory media for storing said digitized TV signals.

Ross discloses wherein said PCMCIA card includes rotating memory media for storing said digitized TV signals (see column 9, lines 11 – 25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used a PCMCIA card that includes a rotating magnetic memory media as taught by Ross to the apparatus of Vantalon in view of Speasi to provide a system that is economically feasible and commercially practical (see column 1, lines 64 - 65)

As to **claim 35**, grounds for rejecting claim 34 apply to claim 35 in its entirety.

### ***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the



shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUWASEUN A. ADEGEYE whose telephone number is (571)270-1711. The examiner can normally be reached on Monday - Friday 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

11/07/2008  
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/O.A/